

REMARKS/ARGUMENTS

Claims 1 – 11 and 14, 16 - 23 are now in the case. Claim 15 is canceled in the present response, claims 12 and 13 were previously canceled.

The drawings were objected to under 37 CFR 1.83(a) for not showing all structure in the claims. New Figs. 4, 4A and 5 have been added. Responding to each instance raised by Examiner regarding the drawings:

“the trap door openings, a second opening, said second opening in said pre-fill chamber such that said first and second openings are aligned in sealing relationship when said pre-fill chamber is mounted on said incinerator lid such that combustible material can pass from said pre-fill chamber through said first and second openings” has been more clearly displayed in Fig. 4A.

“a first material fill opening near an upper portion of said burn container, a lid covering said first material fill opening such that said burn container is closed except for an exhaust and a controlled air plenum” has been more clearly displayed in Figs. 4, 4A and 5.

The drawings, including added Figs. 4, 4A and 5, now show every feature of the present invention specified in the claims. No new matter has been added.

Claims 14-16, 21 are objected to because of informalities. In particular, claims 14-16 depend from a canceled claim. This informality has now been corrected with the present amendments. Further, claim 21 has been amended to correct the objected informality.

Claims 1 – 9 are rejected under 35 U.S.C. 112, first paragraph. With the addition of new Figs. 4, 4A and 5 along with the enclosed amendments to the specification, the written description now reasonably conveys the claimed invention. The specification as amended, and new Fig. 4A reasonably conveys “a removable pre-fill chamber mounted adjacent a first opening in said lid covering said burn container”, as claimed in claim 1. Likewise, the specification as amended, and new Figs. 4, 4A and 5 reasonably convey “a pre-fill chamber attachable to a lid on said burn container adjacent a first opening in said lid.”

Claim 1 and 9 were rejected under 35 U.S.C. 112, second paragraph. Claims 1 and 9 have been amended to overcome these rejections.

Claims 10, 18, 19, 20 were rejected under 35 U.S.C. 102(b) as being anticipated under Brennan. Brennan shows a fixed incinerator with a material feed chute 4. Brennan fails to show a pre-fill chamber as disclosed and claimed in the original or amended version of claims 10 and 18. Brennan fails to show a pre-fill chamber intended to be filled with and hold combustible material. Brennan further fails to show a plunger operable to force open a door in the pre-fill chamber and force the material contained in the container through the opening in the pre-fill chamber and through a second opening in the lid of the incinerator as claimed in claims 10 and 18. To the contrary, the chute 4 of Brennan is not intended to fill with material nor is the chute closed when material is added to the burn barrel 1. As a result, unlike the present invention, fumes could rise through the chute 4 at any time and particularly when the doors 6 and 8 are open. Again, this is unacceptable in a modern incinerator for burning hazardous materials. The ability of the pre-fill chamber of the present invention to temporarily close while material is being added to the chamber as well as the ability of the present invention to move combustible materials from the pre-fill chamber to the burn barrel without having the burn barrel open is an important aspect of the present invention and distinction over the prior art cited.

Examiner interprets chute 4 of Brennan as a material container. It is contrary to the teaching of Brennan as a material container. It is contrary to the teaching of Brennan for the chute 4 to contain the material. Material drops through the chute 4. Further, whenever material is in the chute 4, the door 8 is open. Material held in chute 4 would be considered an undesirable clogging and there would be no easy way to clear such a clog. As such, the chute 4 in Brennan is not a material container as disclosed and claimed. Brennan simply allows material placed in the chute 4 to fall into the burn container by the force of gravity.

Claims 11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sydow. Claim 14 has been canceled and claim 11 has been amended to include the limitation "a side door in said pre-fill chamber, said side door allowing combustible material to be placed in said pre-fill chamber prior to said pre-fill chamber being

mounted on said lid.” In the pending office action, the Examiner has stated claim 11 with the above added limitation would be allowable.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan in view of Fontaine. Claim 17 as amended now contains the limitation that the pre-fill chamber includes a plunger, and wherein the closure covering the second opening in the lid is “hinged to open when said plunger force opens said end of said pre-fill chamber to force said combustible materials contained in said pre-fill chamber through said second opening” of the lid. As discussed, Brennan does not disclose a plunger, and therefore fails to disclose the plunger force opening said end of said pre-fill chamber to force said combustible materials contained in said pre-fill chamber through said second opening of the lid.

Claims 15, 16, 21 – 23 were indicated to be allowable if amended to contain the limitation of the base claims and if rewritten to overcome the stated objections. Claim 15 has been canceled, claims 16, 21 – 23 remain in the case and the objected to language has been corrected by amendment. No new matter has been added.

CONCLUSION

Based on the remarks above it is felt that the remaining claims are now in condition for allowance.

In the event the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number identified below.

Respectfully submitted,

by:



Gary K. Price, #45,024

BOWERS HARRISON, LLP
GARY K. PRICE, ESQ
25 N W RIVERSIDE DRIVE
P O BOX 1287
EVANSVILLE, IN 47706-1287
TELEPHONE: (812) 426-1231
FACSIMILE: (812) 464-3676
Dated: January 24, 2005

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IN THE DRAWINGS:

Enter the enclosed new Figs. 4, 4A, and 5, which new drawings better display the closure plate and opening in the lid of the incinerator, the trap door and opening in the pre-fill chamber, such that said openings are aligned in sealing relationship when said pre-fill chamber is mounted on said incinerator lid. No new matter has been added. Please amend the drawings section as:

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a perspective view of a preferred embodiment of the present invention, an incinerator pre-fill chamber installed on a prior art incinerator.

Fig. 2 is a perspective view of the incinerator pre-fill chamber of Fig. 1.

Fig. 3 is a cutaway view of the incinerator pre-fill chamber of Fig. 1, with the side and trap doors in an open position.

Fig. 4 is a partial view of the incinerator pre-fill chamber of Fig. 1.

Fig. 4A is a sectional view at line A-A of Fig. 4.

Fig. 5 is a partial view of a prior art incinerator, wherein the hinged closure plate is in a closed position.